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8 Attorneys for COUNTY OF SAN MATEO and  
9 CHRISTINA CORPUS

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION  
12

13 A.B.O. Comix, Kenneth Roberts, Zachary  
Greenberg, Ruben Gonzalez-Magallanes,  
14 Domingo Aguilar, Kevin Prasad, Malti Prasad,  
and Wumi Oladipo,

15 Plaintiffs,  
16

17 v.

18 County of San Mateo and Christina Corpus, in  
her official capacity as Sheriff of San Mateo  
County,  
19

20 Defendants.  
21  
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23  
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26  
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Case No. 3:23-cv-01865-JSC

**DECLARATION OF CHAD E. DEVEAUX  
IN SUPPORT OF DEFENDANTS'  
ADMINISTRATIVE MOTION FOR  
LEAVE TO FILE SUR-OPPOSITION TO  
PLAINTIFFS' MOTION TO REMAND**

1 I, Chad E. DeVeaux, declare as follows:

2 1. I am a principal with Bartko Zankel Bunzel & Miller, attorneys of record for  
3 Defendants the County of San Mateo (the "County") and Christina Corpus (collectively  
4 "Defendants"), in *A.B.O. Comix, et al. v. Cnty. of San Mateo*, Case No. 23-CIV-01075 ("*A.B.O.*  
5 *Comix*"). I have personal knowledge of the facts set forth herein, and if called as a witness, I could  
6 and would competently testify thereto. I make this declaration in support of Defendants'  
7 Administrative Motion for Leave to File Sur-Opposition to Plaintiffs' Motion to Remand.

8 2. On June 23, 2023 at 2:04 PM, I notified Plaintiffs' counsel by email that  
9 Defendants' intended to file an Administrative Motion for Leave to File a one-page Sur-  
10 Opposition to Plaintiffs' Motion for Remand. I further notified Plaintiffs' counsel that Defendants  
11 believe that the County's Counterclaims seeking a declaration that its mail policy does not violate  
12 the First, Fourth, or Fourteenth Amendments is a changed circumstance that warrants filing a short  
13 sur-response to Plaintiffs' motion to remand.

14 3. I further asked whether Plaintiffs would stipulate to Defendants' motion.

15 4. Plaintiffs' counsel notified me by email on June 23, 2023 at 4:02 PM, that Plaintiffs  
16 will not stipulate to Defendants' administrative motion.

17 5. A true and correct copy of my email June 23, 2023 email correspondence with  
18 Plaintiffs' counsel is attached hereto as **Exhibit A**.

19 I declare under penalty of perjury under the laws of the United States of America that the  
20 foregoing is true and correct to the best of my knowledge.

21 Executed on this 26th day of June, 2023, at San Francisco, California.

22 

23 \_\_\_\_\_  
24 Chad E. DeVeaux

# EXHIBIT A

**Chad E. DeVeaux**

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**From:** Stephanie C Krent <stephanie.krent@knightcolumbia.org>  
**Sent:** Friday, June 23, 2023 4:02 PM  
**To:** Chad E. DeVeaux; Cara Gagliano; Pilar Gonzalez Morales  
**Cc:** Patrick M. Ryan; Chris W. Gribble; Taylor Yamahata  
**Subject:** Re: A.B.O. Comix v. San Mateo - Request to File Sur-Response to Remand Motion to Address Federal Counterclaims

Chad,

The Court has already filed an order vacating the upcoming hearing and stating that the motion was submitted on the papers. If Defendants knew they planned to file federal counterclaims and believed that to be relevant to the Court's decision, they should have informed us and the Court sooner. We cannot consent to the motion Defendants propose, and do not believe any counterclaims Defendants plan to file are relevant to the Court's analysis.

Stephanie

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**From:** Chad E. DeVeaux <cdeveaux@BZBM.com>  
**Date:** Friday, June 23, 2023 at 5:03 PM  
**To:** Stephanie C Krent <stephanie.krent@knightcolumbia.org>, Cara Gagliano <cara@eff.org>, Pilar Gonzalez Morales <pgonzalez@socialjusticelaw.org>  
**Cc:** Patrick M. Ryan <pryan@BZBM.com>, Chris W. Gribble <cgribble@BZBM.com>, Taylor Yamahata <tyamahata@BZBM.com>  
**Subject:** A.B.O. Comix v. San Mateo - Request to File Sur-Response to Remand Motion to Address Federal Counterclaims

Stephanie,

Later today, along with their motion for judgment on the pleadings, Defendants will be filing Counterclaims seeking declarations that the County's mail policy does not violate the First, Fourth, or Fourteenth Amendments. We believe that this is a changed circumstance that warrants filing a short sur-response to Plaintiffs' motion to remand. We plan to file an administrative motion with the Court seeking leave to file a one-page sur-response addressing the import of the Counterclaims. Would Plaintiffs agree to stipulate to this request?

Best, Chad

**Chad DeVeaux**

**Principal**

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